

**HOUSE JOURNAL
64TH LEGISLATURE
THIRTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana
February 19, 2015

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Fiscus. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Noland, excused. Quorum present.

BILLS (Welborn, Chair): 2/19/2015

Correctly printed: **HB 200, HB 252, HB 434, HB 542, HB 546, HB 550, HJR 16, HR 2, SB 110, SB 114, SB 128.**

Correctly engrossed: **HB 89, HB 191, HB 318, HB 374, HB 377, HB 381, HB 386, HB 402, HB 413, HB 451, HB 483, HB 499, HB 501, HB 538.**

Correctly enrolled: **HB 27, HB 74.**

Transmitted to the Senate: **HB 296, HB 345, HB 350, HB 353, HJR 11, SB 1, SB 63, SB 64, SB 72, SB 76, SB 135, SB 139.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ballance, Chair): 2/18/2015
HB 89, introduced bill, be amended as follows:

Title, page 1, line 11 & 12

Strike: "MAKING" on line 11 through "PERMANENT" on line 12

Insert: "EXTENDING THE TERMINATION DATE OF"

1. Title, page 1, line 14.

Strike: the second "REPEALING"

Insert: "AMENDING"

2. Page 25, line 7.

Insert: "Section 27. Section 14, Chapter 374, Laws of 2009, is amended to read:

"Section 14. Termination. [This act] terminates June 30, ~~2015~~ 2021."

Renumber: subsequent sections

3. Page 25, line 15.

Strike: section 28 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

HB 191, introduced bill, be amended as follows:

1. Title, page 1, line 5 through line 7.

Strike: "REQUIRING THAT" through "PROGRAM;"

2. Page 2, line 18 through line 19.

Following: "injury" on line 18

Strike: "from" through "source" on line 19

3. Page 2, line 21 through line 23.

Strike: "and the state" on line 21 through "mental illness" on line 23

4. Page 2, line 25.

Following: "board"

Strike: "and the state protection and advocacy program"

5. Page 2, line 28.

Strike: "from an unknown source"

6. Page 3, line 6.

Following: "board"

Strike: "and the state protection and advocacy program"

And, as amended, do pass. Report adopted.

HB 200, do pass. Report adopted.

APPROPRIATIONS (Ballance, Chair):

2/18/2015

HB 402, introduced bill, be amended as follows:

1. Title, page 1, line 9.

Following: "REVENUE"

Insert: "TO THE OIL AND GAS IMPACT ACCOUNT"

Strike: "INCREASING" on page 1, line 9 through "GOVERNMENTS;" on page 1, line 10

2. Page 1, line 29

Following: "district,"

Insert: "an authority as defined in 75-6-304,"

3. Page 7, line 3.

Strike: "50%"

Insert: "25%"

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

4. Page 7, line 6.

Strike: "2022"

Insert: "2021"

5. Page 9, line 11.

Strike: "2022"

Insert: "2021"

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

2/13/2015

HB 413, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

2/19/2015

HB 499, do pass. Report adopted.

HB 538, introduced bill, be amended as follows:

1. Title, page 1, line 4.

Strike: "BE SUBJECT TO"

Insert: "OBTAIN"

2. Title, page 1, line 5.

Strike: "LAWS OF"

Insert: "COVERAGE FROM"

Strike: "THEIR"

Insert: "ITS"

3. Page 1, line 11 through line 21.

Strike: section 1 in its entirety

Insert: "NEW SECTION. Section 1. Employer option for extraterritorial coverage. (1)

Notwithstanding 39-71-118(8)(a), an employee of an employer in this state who is employed by the employer to work solely in another state, and who is required by the laws of that state to be covered for workers' compensation purposes while working in that state, is not considered to be an employee in this state covered under Title 39, chapter 71, during any time that the employer maintains workers' compensation coverage for the employee in the other state.

(2) A plan No. 1, 2, or 3 insurer providing coverage to the employer under this chapter may require proof of coverage in the other state and records of work in the other state.

(3) This section does not apply to an employee whose usual workday begins in this state and who is covered under 39-71-407(4)(a)."

And, as amended, do pass. Report adopted.

HB 542, do pass. Report adopted.

HB 546, do pass. Report adopted.

HB 550, do pass. Report adopted.

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

EDUCATION (Laszloffy, Chair):

2/18/2015

HB 374, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Strike: "FOR RENEWAL" through "20-4-108, MCA"

2. Page 2, line 2.

Following: "training"

Insert: "provided by a professional development entity approved by the superintendent of public instruction"

3. Page 2, line 9 through line 21.

Strike: section 3 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 377, introduced bill, be amended as follows:

1. Title, page 1, line 17.

Strike: "TO NOT ADOPT"

Insert: "NOT TO ADHERE TO"

2. Page 3, line 16.

Strike: "16"

Insert: "15"

3. Page 5, line 8.

Strike: "adopt"

Insert: "adhere to"

4. Page 5, line 9 through line 10.

Strike: "A district's" on line 9 through "standards." on line 10

And, as amended, do pass. Report adopted.

HB 451, do pass. Report adopted.

HB 501, do pass. Report adopted.

SB 128, be concurred in. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Lang, Chair): 2/18/2015

HB 252, do pass. Report adopted.

SB 114, be concurred in. Report adopted.

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

HUMAN SERVICES (Wittich, Chair):
HB 318, introduced bill, be amended as follows:

2/18/2015

1. Page 1, line 18.

Following: "(b)"

Insert: "medically necessary"

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (White, Chair):
HB 386, do pass. Report adopted.
HB 434, introduced bill, be amended as follows:

2/18/2015

1. Title, page 1, line 6.

Following: "QUALITY;"

Insert: "AMENDING SECTION 75-2-502, MCA;"

2. Title, page 1, line 7.

Strike: "AND A TERMINATION DATE"

3. Page 2, line 12.

Strike: "3"

Insert: "10"

4. Page 2, line 15.

Following: line 14

Insert: "**Section 3.** Section 75-2-502, MCA, is amended to read:

"**75-2-502. Definitions.** As used in this part, unless the context requires otherwise, the following definitions apply:

(1) "Accreditation" means a certificate issued by the department that permits a person to work in an asbestos-related occupation.

(2) "Asbestos" means asbestiform varieties of chrysotile, amosite, crocidolite, anthophyllite, tremolite, or actinolite.

(3) "Asbestos project" means the encapsulation, enclosure, removal, repair, renovation, placement in new construction, demolition of asbestos in a building or other structure, or the transportation or disposal of asbestos-containing waste. The term does not include a project that involves less than 3 10 square feet in surface area or 3 linear feet of pipe.

(4) "Asbestos-related occupation" means an inspector, management planner, project designer, contractor, supervisor, or worker for an asbestos project.

(5) "Department" means the department of environmental quality provided for in 2-15-3501.

(6) "Person" means an individual, partnership, corporation, sole proprietorship, firm, enterprise, franchise, association, state or municipal agency, political subdivision of the state, or any other entity."

"

Renumber: subsequent sections

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

5. Page 2, line 16.

Strike: "[Sections 1 and 2] are"

Insert: "[Section 2] is"

6. Page 2, line 17 through line 18.

Strike: "[sections" on line 17 through "1 and 2]" on line 18

Insert: "[section 2]"

7. Page 2, line 22.

Strike: section 5 in its entirety

And, as amended, do pass. Report adopted.

HR 2, be adopted. Report adopted.

STATE ADMINISTRATION (Essmann, Chair):

2/19/2015

HB 381, do pass. Report adopted.

HB 483, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Strike: "AN"

Insert: "A DELAYED"

2. Page 1, line 14.

Strike: "\$200"

Insert: "\$175"

3. Page 1, line 30.

Strike: "July 1, 2015"

Insert: "January 1, 2016"

And, as amended, do pass. Report adopted.

TRANSPORTATION (Lavin, Chair):

2/18/2015

HJR 16, be adopted. Report adopted.

SB 110, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

2/17/2015

HB 38, introduced by Schreiner

HB 103, introduced by Z. Brown

HB 128, introduced by Hill

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

HB 195, introduced by McConnell

HB 248, introduced by Holmlund

House amendments to Senate bill concurred in:

2/17/2015

SB 29, introduced by T. Brown

Senate bills passed and transmitted to the House for concurrence:

2/17/2015

SB 57, introduced by Vincent

SB 170, introduced by Dick Barrett

SB 190, introduced by Phillips

SB 196, introduced by Caferro

MESSAGES FROM THE GOVERNOR

February 18, 2015

The Honorable Austin Knudsen
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 32** sponsored by Representative Wagoner, **House Bill 41** sponsored by Representative Hunter, **House Bill 52** sponsored by Representative Dunwell, **House Bill 57** sponsored by Representative Funk, **House Bill 67** sponsored by Representative B. Smith, **House Bill 91** sponsored by Representative Clark, **House Bill 105** sponsored by Representative Woods, **House Bill 108** sponsored by Representative Salomon, **House Bill 109** sponsored by Representative Salomon, **House Bill 110** sponsored by Representative Holmlund, **House Bill 112** sponsored by Representative Regier, **House Bill 122** sponsored by Representative Randall, **House Bill 136** sponsored by Representative Eck, and **House Bill 184** sponsored by Representative Hertz on February 18, 2015.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 573, introduced by S. Lavin, referred to Transportation.

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

HB 574, introduced by J. Essmann, referred to State Administration.

HB 575, introduced by T. Burnett, referred to State Administration.

HB 576, introduced by A. Wittich, referred to Human Services.

HB 577, introduced by K. Holmlund, C. Larsen, D. Mortensen, M. Noland, K. White, referred to Business and Labor.

HB 578, introduced by M. Lang, J. Brenden, A. Knudsen, referred to State Administration.

The following Senate bills were introduced, read first time, and referred to committees:

SB 57, introduced by C. Vincent (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

SB 170, introduced by Dick Barrett, referred to Taxation.

SB 190, introduced by M. Phillips, B. Keenan, J. Sesso, referred to Taxation.

SB 196, introduced by M. Caferro, C. Larsen, referred to Business and Labor.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Woods in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 333 - Representative Schwaderer moved **HB 333** do pass. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 50

Nays: B. Bennett, Berry, Z. Brown, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 50

Excused: None.

Total 0

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

Absent or not voting: None.

Total 0

HB 334 - Representative Cook moved **HB 334** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 80

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Doane, Essmann, Glimm, Hess, Lamm, Manzella, McKamey, Miller, Monforton, Mortensen, Randall, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 20

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 366 - Representative Custer moved **HB 366** do pass. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 81

Nays: Ballance, J. Bennett, B. Brown, Burnett, Cuffe, Ehli, Essmann, Glimm, Hess, Jones, Manzella, McKamey, Monforton, Moore, Salomon, Tschida, Wagoner, White, Wittich.

Total 19

Excused: None.

Total 0

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

Absent or not voting: None.

Total 0

HB 382 - Representative Dunwell moved **HB 382** do pass. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 74

Nays: Ballance, Berglee, Brodehl, B. Brown, Cuffe, Garner, Glimm, Harris, Lamm, Laszloffy, Lavin, Manzella, Miller, Monforton, Mortensen, Osmundson, Pinocci, Randall, Regier, Richmond, Staffanson, Tschida, Welborn, White, Zolnikov.

Total 25

Excused: None.

Total 0

Absent or not voting: Schwaderer.

Total 1

HB 412 - Representative Zolnikov moved **HB 412** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 86

Nays: J. Bennett, Brodehl, Burnett, Fitzpatrick, Glimm, Hagstrom, Hess, Laszloffy, Manzella, Olszewski, Redfield, Ricci, Tschida, Wagoner.

Total 14

Excused: None.

Total 0

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

Absent or not voting: None.

Total 0

HB 436 - Representative Dudik moved **HB 436** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 447 - Representative Wagoner moved **HB 447** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Doane, Dunwell, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jones, Kelker, Lamm, Lang, Laszloffy, Lieser, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Pierson, Pinocci, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 78

Nays: Custer, Dudik, Eck, Fitzpatrick, Hayman, Hunter, Jacobson, Karjala, Kipp III, Lavin, MacDonald, McClafferty, Mehlhoff, Noonan, Pease-Lopez, Peppers, Perry, Person, Pope, Tropila, Williams, Wilson.

Total 22

Excused: None.

Total 0

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

Absent or not voting: None.

Total 0

HB 448 - Representative Wagoner moved **HB 448** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jones, Kelker, Lamm, Lang, Laszloffy, Lieser, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Peppers, Pinocci, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Tschida, Wagoner, Webber, Welborn, White, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 78

Nays: Dudik, Eck, Fitzpatrick, Hayman, Hunter, Jacobson, Karjala, Kipp III, Lavin, MacDonald, McClafferty, Mehlhoff, Noonan, Pease-Lopez, Perry, Person, Pierson, Pope, Swanson, Tropila, Williams, Wilson.

Total 22

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 449 - Representative Wagoner moved **HB 449** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Court, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Z. Brown, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 40

Excused: None.

Total 0

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

Absent or not voting: None.

Total 0

HB 461 - Representative Lavin moved **HB 461** do pass. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 82

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Cuffe, Doane, Flynn, Glimm, Hess, Jones, Manzella, Monforton, Mortensen, Tschida, Wagoner, White, Wittich.

Total 18

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 503 - Representative Berry moved **HB 503** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Mr. Speaker.

Total 55

Nays: B. Bennett, Z. Brown, Burnett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov.

Total 45

Excused: None.

Total 0

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

Absent or not voting: None.

Total 0

HB 522 - Representative Berry moved **HB 522** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Cuffe, Wagoner.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 537 - Representative Berry moved **HB 537** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

Absent or not voting: None.

Total 0

HJR 4 - Representative Monforton moved **HJR 4** be adopted. Motion **failed** as follows:

Yeas: J. Bennett, Berglee, Cook, Fiscus, Glimm, Hagstrom, Hertz, Hess, Lang, Laszloffy, Lavin, Meyers, Monforton, Mortensen, Noland, Olszewski, Regier, Ricci, Tschida, Wagoner, White, Wittich, Mr. Speaker.

Total 23

Nays: Ballance, B. Bennett, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Greef, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Zolnikov.

Total 77

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Woods moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hess, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 91

Nays: Cook, Fitzpatrick, Hertz, Hill, Monforton, Schwaderer.

Total 6

Excused: Noland.

Total 1

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

Absent or not voting: Essmann, Lang.

Total 2

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 74 passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 96

Nays: Wagoner, Wittich, Zolnikov.

Total 3

Excused: Noland.

Total 1

Absent or not voting: None.

Total 0

HB 298 passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 56

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy,

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 43

Excused: Noland.

Total 1

Absent or not voting: None.

Total 0

HB 375 passed as follows:

Yeas: Ballance, B. Bennett, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Custer, Dudik, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Noonan, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tschida, Wagoner, Welborn, White, Williams, Wittich, Woods, Mr. Speaker.

Total 83

Nays: J. Bennett, Berglee, Curdy, Doane, Dunwell, Miller, Monforton, Olsen, Peppers, Randall, Schreiner, Staffanson, Tropila, Webber, Wilson, Zolnikov.

Total 16

Excused: Noland.

Total 1

Absent or not voting: None.

Total 0

HB 414 passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price,

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: Noland.

Total 1

Absent or not voting: None.

Total 0

HB 466 passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: Noland.

Total 1

Absent or not voting: None.

Total 0

HB 470 passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olszewski,

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: B. Brown, Monforton, Olsen, Wagoner, Wilson, Wittich.

Total 6

Excused: Noland.

Total 1

Absent or not voting: None.

Total 0

HJR 12 adopted as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Jacobson, Karjala, Kelker, Lamm, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Woods, Mr. Speaker.

Total 82

Nays: J. Bennett, Brodehl, Burnett, Cook, Doane, Flynn, Glimm, Hess, Hunter, Jones, Kipp III, Laszloffy, Redfield, Wagoner, Wilson, Wittich, Zolnikov.

Total 17

Excused: Noland.

Total 1

Absent or not voting: None.

Total 0

HJR 15 adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers,

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 92

Nays: B. Brown, Burnett, Glimm, Hess, Manzella, Pinocci, Wittich.
Total 7

Excused: Noland.
Total 1

Absent or not voting: None.
Total 0

MOTIONS

Majority Leader Regier moved **HB 561** be moved from the Judiciary Committee to the State Administration Committee.

Representative Pinocci moved to reconsider action on **HB 388** and that **HB 388** be placed on second reading on Friday, February 20, 2015.

Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.
Total 49

Nays: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Funk, Garner, Greef, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.
Total 50

Excused: Noland.
Total 1

Absent or not voting: None.
Total 0

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Friday, February 20, 2015. Motion carried.

House adjourned at 2:41 p.m.

LINDSEY GROVOM
Chief Clerk of the House

AUSTIN KNUDSEN
Speaker of the House